

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MARCUS HEITKOETTER, et al.,

## Plaintiffs,

V.

KARL DOMM,

**Defendant.**

Case No. 1:22-cv-00368-ADA-BAM

**ORDER ON DEFENDANT'S REQUEST  
FOR AN ORDER FOR ADDITIONAL  
PAGES ON DEFENDANT'S MOTION TO  
COMPEL DISCOVERY FROM  
PLAINTIFFS**

(Doc. 68)

## **ORDER VACATING HEARING**

Pending before the Court is Defendant Karl Domm’s (“Defendant”) Request for an Order for Additional Pages on Defendant’s Motion to Compel Discovery From Plaintiffs. (Doc. 68.) Defendant requests 20-25 pages within the joint statement regarding discovery disagreement. To brief his discovery issues (*Id.*) Plaintiffs Marcus Heitkoetter and Rockwell Trading Services, LLC (“Plaintiffs”) did not file an opposition. *See* L.R. 233(b) (“Any non-moving party may file an opposition or supporting statement relating to a Motion for Administrative Relief within five (5) days after the motion has been filed.”).

Having considered the briefing, the Court finds that the currently scheduled hearing on the instant motion is not necessary. L.R. 233(c) (“Unless otherwise ordered, a Motion for Administrative Relief is submitted on the day after the opposition is due for immediate action by the Court without hearing.”) Accordingly, the hearing on the Defendant’s motion set for August 4, 2023, is **VACATED**.

As the Court's standing order regarding page limits does not apply to briefs on Local Rule 251 motions, the Defendant's request is **GRANTED**. Defendant shall have 25 pages within the parties' joint statement regarding discovery disagreement.

The parties are reminded that meet and confer requirements are imposed so that the parties may resolve their differences and narrow the issues for the Court's review. L.R. 251. The parties are further reminded that counsel are required to conduct at least one telephonic or in-person conference as part of their obligations to meet and confer in good faith to resolve their discovery dispute prior to seeking judicial intervention. (Doc. 54 at 3).

The Court also invites the parties to resolve discovery disputes informally through the Court's discovery resolution process. Upon stipulation of the parties, Judge McAuliffe will resolve discovery disputes by informal telephonic conference outside the formal procedures of the Local Rules and Federal Rules of Civil Procedure governing noticed motions to compel. The procedures for requesting an informal telephonic conference are set forth in Judge McAuliffe's Case Management Procedures located on the Court's website, <http://www.caed.uscourts.gov>. The Court may additionally schedule an informal conference before deciding any formally noticed discovery motion.

Finally, the parties' conduct should assist in securing the just, speedy, and inexpensive determination of every action and proceeding. Fed. R. Civ. P. 1. The parties are admonished against unnecessarily burdening the Court's limited resources. If the parties are unable to meet and confer and resolve issues in good faith, the Court, in its discretion, may set an IN PERSON meet and confer conference in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe, where counsel will be required to **personally appear** in court to further meet and confer to resolve the outstanding discovery issues.

IT IS SO ORDERED.

Dated: **July 27, 2023**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE